

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

*In re Dealer Management Systems Antitrust
Litigation, MDL 2817*

No. 1:18-CV-864
Hon. Amy J. St. Eve

**MOTION FOR DIRECT ASSIGNMENT OF CASES
PURSUANT TO LOCAL RULE 40.3**

Defendants CDK Global, LLC and The Reynolds and Reynolds Company¹ respectfully request that the Court enter an order reassigning the cases captioned *F.G. Downing Development, Inc. v. CDK Global, LLC and The Reynolds and Reynolds Company*, Case No. 18-CV-987 (N.D. Ill.) (filed February 7, 2018 and assigned to Judge Gettleman) and *Baystate Ford Inc. v. CDK Global, LLC and The Reynolds and Reynolds Company*, Case No. 18-CV-996 (N.D. Ill.) (filed February 7, 2018 and assigned to Judge Aspen) to this Court as potential tag-along actions to the instant MDL proceedings. Copies of the Complaints filed in *F.G. Downing* and *Baystate* are attached hereto as Exhibits A and B.

Per Rule 7.2 of the Rules of the United States Judicial Panel on Multidistrict Litigation, “[p]otential tag-along actions filed in the transferee district do not require Panel action. A party should request assignment of such actions to the Section 1407 transferee judge in accordance with applicable local rules.” Under Local Rule 40.3(b)(6), “where a civil case is filed as a potential tag-along action in a multidistrict litigation (‘MDL’) proceeding pending in the District, it shall be assigned directly to the judge handling the MDL proceeding.” Both *F.G. Downing* and *Baystate* involve questions of fact common to the matters previously transferred to this Court

¹ Reynolds files this motion without waiver of, and reserving all rights with respect to, the controlling arbitration provisions in its dealer and vendor contracts.

as part of MDL 2817 and thus should be reassigned to this Court for coordinated and consolidated pretrial proceedings.

WHEREFORE, Defendants respectfully request that the Court reassign the *F.G. Downing* and *Baystate* cases to this Court for inclusion and consolidation with the other proceedings currently part of MDL 2817.

Dated: February 9, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Britt M. Miller, an attorney, hereby certify that on February 9, 2018, I caused a true and correct copy of the foregoing **MOTION FOR DIRECT ASSIGNMENT OF CASES PURSUANT TO LOCAL RULE 40.3**, to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

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